

## The Press and Banner.

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ABBEVILLE, S. C.

### CAN'T KEEP LIQUOR

IN YOUR HOUSE UNLESS IT IS OFFICIAL OR STAMPED.

Important Decision—Result of a Divided Court—Justice McIver Calls Attention to the United States Constitution's Decision.

By reason of an equally divided court the State supreme court has rendered a decision to the effect that a man cannot keep two or three months' worth of whiskey in his house for his own personal use, without the commissioner's stamp upon it, without laying himself liable to criminal prosecution under the dispensary law.

The decision was rendered in the case of Anderson Christian and the judgment of the circuit court below stands affirmed. Chief Justice McIver and Associate Justice Gary have filed very strong opinions against sustaining the finding of the lower court. Mr. Justice Jones files the opinion of the other side, in which Associate Justice Poff concurs. In the Florence case recently decided, in which the court was equally divided, the appellants have submitted a request that a rehearing be granted before all the judges sitting en banc. No doubt a similar request will be made in this case. Chief Justice McIver, in his opinion, thus presents the matter in substance:

The defendant was found guilty and sentenced to pay a fine of \$100, or go to the chain gang for three months for having in his possession two and a half gallons of corn whiskey, which had no State stamp on it. On this judgment an appeal was taken to the supreme court of the State.

The appeal was taken on the following grounds in brief:

First, because his honor erred in charging the jury as follows: "The question is did he have liquor there, keeping it there without any stamp on it? If so, he must show that either he bought it through the regular channels, the dispensary, or that he obtained it from the State commissioner's proper stamps to be put on it" and should have charged the jury instead that the keeping of a small quantity of liquor in his dwelling house for his own use and not for sale or barter does not constitute a crime.

Second, that it is only the storing or keeping in possession of alcoholic liquors for some unlawful use or purpose, which is made an indictable offense by statute and his honor erred in not so holding.

The chief justice states that from the testimony, the State consulates "found in the dwelling house, a white defendant was absent a three gallon jug containing about two gallons of corn whiskey, which they seized, because there were no stamps upon it from the State commissioner. There was no testimony to show that the whiskey was for sale or any other unlawful purpose or that the defendant had ever sold whiskey. On the contrary the defendant stated that he had obtained the whiskey about three weeks previous for his own personal use and for no other purpose, because he was in bad health and needed it; that he had never sold any whiskey and could not tell how much it he had used but that it was for his own use. It was admitted that the whiskey had not been bought from a dispensary and it had no stamps on it. The charge of the circuit judge was as follows: "The indictment is for storing and keeping in possession alcoholic liquors. If a man undertakes to keep liquor he must have the stamp of the State commissioner. The question is did he have liquor there, keeping it without any stamp, if so he must show that he bought it from the dispensary or that he obtained from the State commissioner the stamps to put on it. The law prevents this storing of liquors shows how it may be kept safely without any trouble and if a man is not minded to put himself to that trouble, then he will have to look out for the consequences."

The chief justice goes on to say that the circuit judge proceeded upon the theory that it is an indictable offense for a person to have in his possession alcoholic liquors, even for his own use, unless the required stamps are upon it. In the first place the indictment does not charge any such offense for it does not charge that liquors were found without the required stamps. On the contrary the charge is that the defendant unlawfully stored certain contraband liquor. In the second place an examination of the dispensary law of 1896 fails to disclose any provision making it an indictable offense for a person to have liquor in his possession without the stamp of the State on it. There are several provisions in that act making such liquor liable to seizure and forfeiture, but none declaring that the mere fact that a person is found in possession of alcoholic liquors without stamps shall constitute a criminal offense.

The sections of the act, which it is contended sustain this prosecution are the 1st, the 25th, the 26th and 35th, and these sections are considered in the opinion of the chief justice.

After quoting the first section he says that it is divided into two distinct parts; the first part makes it a penal offense to do any of the acts therein forbidden, while the second part was intended to render the liquors referred to liable to seizure without a warrant and to forfeit them. In other words the first sentence affects persons only and not property, while the second affects property and not persons. It is clear that a person charged must not only have manufactured, sold, bartered, exchanged, received or accepted, stored or kept in his possession spirituous liquors, but must have done so for some unlawful purpose for that is not only the proper construction of the language, but also a construction is necessary to relieve the officers charged with the duty of storing and keeping of spirituous liquors from the penalties prescribed. While the evidence shows that the liquor in question was kept in the defendant's dwelling house there is no evidence tending to show that it was kept for unlawful use. On the contrary, the evidence is that he kept it believing that it was necessary for his bodily health. Under, therefore, the act contains no provision making it unlawful to drink or otherwise use for his own personal benefit or gratification any spirituous liquors not obtained from the dispensary or not containing the stamps of the State commissioner it is obvious

that one essential element of the offense charged is lacking. The act will be searched in vain for any such provision, and hence it cannot be said that keeping and using any spirituous liquors for one's own personal use or gratification constitutes any offense against the criminal laws of the State. The 25th section is quoted and Mr. Justice McIver holds that it does not even purport to create any criminal offense but deals only with the seizure and forfeiture of contraband liquor. Indeed the proviso recognizes the legality of the possession of certain liquors which are not bought from the dispensary.

The 26th section is next quoted, which it is contended was not to prevent any criminal offense, but to prevent the courts from entertaining action for the recovery of the price of any liquor so seized.

So much of the 35th section which is pertinent is quoted. It is difficult to see what light this section throws on the subject. It certainly creates no criminal offense except in the last paragraph, which has nothing to do with the case, in that it provides for a punishment for imitation of stamps.

He concluded by saying: "A very careful consideration of this case in all its aspects leads inevitably to the conclusion that the grounds of appeal must be sustained." Finally, he says: "Inasmuch as this opinion was originally prepared before the recent decision of the supreme court of the United States in *Donald vs. Scott*, 165 U. S. 68, as announced, I desire to avail myself of the opportunity now present of adding that it seems to me absolutely necessary to adopt the conclusion which I have reached in order to avoid a conflict with the decision of the supreme court of the United States, which it must be conceded is a final arbiter of all questions involving a construction of the Constitution of the United States."

#### JUSTICE GARY'S VIEW.

Mr. Justice Gary, in his opinion concurring with the opinion of the chief justice, after reviewing the facts of the case and quoting several sections of the dispensary law applicable to the case says:

"When these sections are construed together they show first that the act does not prohibit, but on the contrary in express language, permits a person to keep liquor in his possession for his own use. Second, that in order to throw the protection of the law around the liquor in his possession for his use, it is necessary to furnish an inventory of the quantity and kinds to the State commissioner and apply for certificates to affix thereto.

"Third, that if the liquor in his possession is seized because it has not the necessary certificates and labels required by the act, and he claims the liquor the burden of proof is upon him to show that it is for his own use.

"The act contemplated that there would necessarily be some time after the liquor came into possession of the person for his own use before he could apply to the State commissioner for the necessary certificates and labels. If it was seized because it did not have the necessary certificates and labels, he was even then to be deprived of the liquor, provided he could show it was for his own use; but in that case, the burden of proof would be upon him to show it was for such purpose. Any other construction of the act would make a person a violator of the law who simply received as a present a bottle of liquor coming from another State, although it might be his intention forthwith to apply to the State commissioner for the necessary certificates and labels to affix to it.

"A construction contrary to that which we placed upon the act would even make a person a violator of the law who took a drink of whiskey unless it came from the dispensary.

"We cannot think this was the intention of the legislature. For these reasons we concur in the conclusion announced by Mr. Chief Justice McIver.

#### JUSTICE JONES' POSITION.

Justice Jones, in his decision sustaining the lower court, contends that the sole question for determination is whether the dispensary act of 1896 prohibits the storing or keeping of intoxicating liquors without having on the label the stamp of the State commissioner.

"The construction contended for by the learned chief justice," he holds, "would practically nullify the dispensary law, for it is not possible to hold that the keeping of intoxicating liquors in possession without permission of the stamp is not punishable unless it was kept for unlawful use, and not be compelled to hold the same thing in reference to the manufacture and sale of such liquors. Moreover, if a sale of intoxicating liquors is not unlawful, unless made for an unlawful use, then a keeping in possession of contraband liquor for sale for a lawful use is not unlawful. This would make a paradise for blind tigers; I should say, rather, there would be no blind tigers since everybody could sell and keep for sale intoxicating liquors openly and with impunity.

"The construction we contend for is not only the natural and grammatical construction of the language used, but is consistent with the scheme of the dispensary act, whereas, the other construction is the unnatural, ungrammatical and destructive of the design and operation of the dispensary law. The question is simply one of duty to declare the law. We have nothing to do with its wisdom or its severity. The harshness of its operation, real or supposed, should not in the least serve us from our plain duty. There was no error in the charge of the judge complained of and the judgment of the circuit court should be affirmed.

#### Found Dead.

BLYTHEWOOD, April 8.—About 6:30 this morning the body of W. H. Parker, a boy of 18 from Athens, Ga., was found lying about three feet from the railroad track one mile below here. He is supposed to have been killed by the train. His identity was ascertained by a letter found on his person. He comes from a good family and has been properly cared for. His remains are now waiting the arrival of his uncle, A. P. O'Farrell of Athens, Ga., where they will be carried for interment.

#### Damages for Murder.

YORKVILLE, S. C., April 8.—A verdict of \$6,500 was rendered against Marion P. Ross in favor of the estate of Charles T. Williams in the court of common pleas yesterday. The suit was brought by J. H. Riddle, administrator of the estate of Williams, against Ross for the murder of Williams, and suit for damages was accordingly brought. The defense has moved for a new trial.

## NEW SCHOOL RULES.

SOME IMPORTANT CHANGES ADOPTED BY THE STATE BOARD.

Regulations Which Are Expected to Increase the Facilities and Usefulness of the Public School System—Of Interest to Patrons and Teachers.

At a recent meeting the State Board of Education adopted some rules for the conduct of the public schools in the State which are very important and, in some respects, departures from previous regulations. These were adopted after much discussion, it being the desire of the board to make the schools up to date as far as possible.

Among some of the more important regulations are the following:

Requiring examinations to be held in every county three times a year, in February, June and September.

Certificates for first and second grades only will be issued, but this does not affect third grade certificates now in existence.

No teacher shall be in by consanguinity or affinity within second degree to a member of the board or principal of a school shall be employed.

Certificates in one County shall be good in another if it is properly registered.

Only school supplies authorized by the State Board shall be purchased for use in public schools.

The complete text of the new rules follow and must prove of interest to patrons and teachers alike:

The State Board of Education shall be governed by the following rules, except when a rule is suspended by a two-third vote of the board:

Section 1. The Governor shall be chairman and the State Superintendent of Education secretary of the board.

Section 2. The Board shall meet in January, May and September of each year and at such other times as the chairman may designate.

Section 3. The secretary shall keep a record of the actions of the board in a book provided for that purpose.

Section 4. The order of business shall be as follows: Calling to order, reading of minutes of the previous meeting, unfinished business, reports of committees, report of the chairman, report of the secretary and new business.

Section 5. All resolutions shall be reduced to writing by the mover, and likewise all amendments.

Section 6. A motion must receive a second before it shall be entitled to consideration by the board.

Section 7. The chairman and secretary are authorized to fill all vacancies that may occur in the County Board of Education and to report their action to the board at its next meeting for its consideration.

Section 8. Should a vacancy occur in the office of County Superintendent of Education the other two members of the county board shall perform the duties of the office until the vacancy is filled by this board and the chairman and secretary shall so instruct them.

Section 9. All vacancies in the office of County Superintendent of Education shall be filled by ballot, and a two-third vote of the members present shall be necessary to fill the vacancy.

Section 10. An applicant for a teachers' State certificate shall stand a satisfactory examination before this board at a regular meeting of the board, or, upon special order of the chairman of the board, the State Superintendent of Education shall hold such examination and report the same to the board at its next meeting, for its consideration, or present a full diploma from some college or university of standing satisfactory to the board.

In all cases applicants shall furnish satisfactory evidence of good character. The certificate shall be signed by the chairman and secretary of the board, under the seal of the office of the State Superintendent of Education, continue of force for two years, unless the holder teach in the public schools of any County in the State upon the registration of the certificate in the office of the County Superintendent of Education of the county, and may be renewed at the discretion of this board. A State certificate shall not be issued to any person under 20 years of age.

Section 11. All scholarships in State institutions shall be awarded a competitive examination held by or under the discretion of the State Superintendent of Education.

Note: The manner of awarding these scholarships, together with rules to govern them, was not decided on, further consideration being postponed until the next meeting in May.

Section 12. The County Board of Education of each County shall meet on the third Saturday in February, June and September of each year for the purpose of examining applicants for a teacher's county certificate of qualification, and the transaction of all other business that may come before it, ample public notice shall be given of the time and place of all such meetings.

Section 13. Every applicant for a county certificate shall stand a satisfactory written examination before a County Board of Education, on uniform questions prepared and furnished by the State Board, the examination to be held in all the Counties on the same day, or he or she shall present to the County Board a full diploma from some reputable chartered college or university of this State, known to be of good standing. No certificate shall be issued on a diploma showing that the holder has completed the course of only some particular department of a school; the diploma must show that the full college course has been completed.

Section 14. Only one grade of examination questions shall be prepared and furnished for the County examinations.

Section 15. There shall be but two grades of teachers' county certificates—first grade and second grade—this not to affect third grade certificates now outstanding.

Section 16. To obtain a first grade certificate an applicant must make a general average of not less than 75 per cent. on the questions submitted, and not less than 60 per cent. on any branch; and to obtain a second grade certificate the applicant must make a general average of not more than 70 per cent. and not less than 50 on any one branch, algebraic being excluded in marking for a second grade.

Section 17. No person shall be permitted to take an examination who is not at least 18 years of age, and before taking an examination each applicant shall satisfactorily pass such oral test in reading and language as the Board may impose.

Sec. 18. A certificate shall not be renewed by the board issuing it, provided. That if a teachers' institute is held in the county, a first grade certificate shall not be renewed unless the holder attends the institute, and provided, further, That if the holders of a second grade certificate attends the institute a second grade certificate may be renewed.

Sec. 19. The County board shall issue to each applicant making the required percentage a certificate, signed by each member of the board and under the seal of the County Superintendent of Education of the County, showing on its face the percentage made on each branch and the general average. The certificate shall run for two years from its date and the holder shall be deemed competent to teach in the public schools of the County.

Section 20. No certificate of qualification shall be granted by any County Board under any circumstances to any person who is under 18 years of age.

Section 21. The County Board of one County may recognize a certificate issued by the County Board of another County, but in such case they shall register the name of the holder, county from which issued, date and number of the certificate, and when so registered it shall have the same force as if issued in that county.

Section 22. Each County Board shall keep a register in which shall be recorded the name, and, sex, color and residence of each person to whom a certificate is granted, and also the date and grade of the certificate.

Section 23. Every claim of warrant issued by a board of trustees shall be signed by at least two members of the Board and should not be approved by the county Superintendent of Education until the clerk of the board of trustees has entered it upon a book kept for that purpose.

Section 24. No teacher shall be employed by a board of trustees who is related by consanguinity or affinity within the second degree to a member of the board or to a principal of a school, nor shall they employ a teacher holding a certificate issued by a board of another county until the certificate has been duly registered in the office of the County Superintendent of their own county.

Section 25. That no school supplies shall be purchased by school officers for use in the public schools of any county in the State except such as are authorized by the State Board to be sold by the State Board to the board of trustees of each county, and the price shall not exceed the prices agreed on.

The County Boards may allow or disallow such supplies, or any of them, to be sold in their counties. In case they permit the same to be sold they shall give the vendor a written permission to offer the same to the trustees of their counties, the prices of the supplies to be named in the written permission, leaving the purchase, or not, of such supplies to the good judgment of the boards of trustees. In case the trustees purchase any of such supplies they may give a warrant against the school fund of their district in payment therefor, but in no case shall the County Superintendent of Education countersign or endorse any such warrant until the supplies have been delivered; the County Superintendent shall hold all such warrants in his possession until the delivery of the supplies is made. All persons purchasing any such warrant before the same has been countersigned by the County Superintendent of Education do so at their own risk.

The following boards of education have been appointed by the State Board:

Abbeville—J. M. Knight, Abbeville; S. P. McElroy, Due West.  
Aiken—R. L. Gunter, Aiken; J. A. V. Keps, Langley.  
Anderson—W. F. Moncrief, Anderson; L. M. Mahafey, Anderson.  
Barnwell—R. H. Harley, Williston; T. P. Lide, Barnwell.  
Beaufort—Wm. Elliott, Jr., Beaufort; T. O. Hutson, Beaufort.  
Berkeley—F. W. Dantzer, Mt. Pleasant.  
Charleston—W. M. Whitehead, Charleston; Robert E. Seabrook, Charleston.  
Cherokee—R. O. Sams, Gafney, N. H. Littlejohn, Gafney.  
Chester—S. B. Latham, Chester; Jas. Hamilton, Chester.  
Chesterfield—B. F. Hargatt, Chesterfield; A. H. McArm, Cheraw.  
Clarendon—J. E. Lessene, Manning; E. J. Browne, Manning.  
Colleton—J. E. Purdy, Walterboro; J. T. Eilers, R. Coggeshall, Darlington; J. B. Floyd, Darlington.  
Edgefield—E. H. Folk, Edgefield; H. S. Hartzog, Johnston.  
Florence—J. McDuffie, Friendfield; W. N. McPherson, Darlington.  
Greenville—Julius L. Eskew, Piedmont; O. B. Martin, Greenville.  
Hampton—T. H. Fitts, Hampton; J. W. Rouse, Hampton.  
Horry—D. A. Spivey, Conway, W. C. Graham, Socastee.  
Kershaw—Thos. Pate, Camden; W. J. Villipigue, Camden.  
Lancaster—J. T. Green, Lancaster; J. H. Foster, Lancaster.  
Laurens—J. B. Parratt, Highland Home; J. B. Watkins, Laurens.  
Lexington—L. B. Hayne, Leesville; F. E. Dreher, Lexington.  
Marion—P. H. Edwards, Mullins; J. D. McClucas, Marion.  
Marlboro—J. D. Moore, Bennettsville; J. A. Calhoun, Olio.  
Newberry—G. G. Sale, Newberry; W. H. Wallace, Newberry.  
Oconee—W. J. Stribbling, Walhalla; W. A. Dickson, Broyles.  
Orangeburg—R. Ross, Orangeburg; A. H. Moss, Orangeburg.  
Pickens—J. E. Parson, Pickens; S. W. O'Dell, Reamoke.  
Richland—E. B. Wallace, Columbia; C. E. Johnston, Columbia.  
Saluda—Jas. P. Bean, Johnston; J. T. Bowles, Paynes.  
Spartanburg—W. J. Wall, Spartanburg; C. E. Elmore, Clifton.  
Sumter—H. E. Edmunds, Sumter; H. F. Wilson, Sumter.  
Union—C. B. Waller, Union; C. H. Peake, Union.  
Williamsburg—E. G. Chandler, Kingstree, Wm. G. Gamble, Kingstree.  
York—J. A. Barron, Yorkville; J. W. Thomson, Rock Hill.

The State Superintendent of Education was instructed to fill all places left vacant.

## THE TIDE TURNING.

DEMOCRATS VICTORIOUS IN MUNICIPAL ELECTIONS.

Carter Harrison Wins—Elected Mayor of Chicago by a Vote of Nearly Two to One. Canton Goes Democratic.

CHICAGO, April 6.—With the magic of his famous father's name, aided by the independent split in the regular Republican ranks and the flitting of the disaffected laboring class to the standard of silver Democracy, Carter Harrison was elected mayor of Chicago today and a great Democratic triumph was recorded. The 56,000 plurality over McKinley over Bryan was turned into a Democratic plurality of about 85,000 over Judge Nathanial C. Sears, the machine Republican candidate for Mayor. The almost complete mayoralty returns show that Harrison polled a plurality of about 75,000 over the next man, Alderman John M. Harlan, a Republican who ran on the citizens ticket by himself. The figures also indicate that the next mayor polled a small majority over the three other principal candidates, Sears, Harlan and Hesing, the ex postmaster and German editor, whose ticket was called business administration of municipal affairs. He is a gold Democrat, but his boasted strength among the independent men of both parties dwindled to about 16,000 total votes. Harrison's total vote is about 140,000, which is less than 5,000 under the vote polled by Wm. J. Bryan.

The total Republican vote is about 57,000 while McKinley polled 200,747 votes in November. The rest of the city ticket, attorney, treasurer and clerk, all the town tickets and a large majority of the common council have gone Democratic on the tidal wave with the possible exception of the Hyde town ticket. Harrison or Harlan carried every ward in the city and the Republican machine was repudiated everywhere. There is really nothing left for the Republican party to console itself with, except a few aldermen whose records were good and who happened to live in wards that are usually Republican. The argument of the Republicans that if Hesing and Harlan, the two independent men, had withdrawn, Judge Sears would have won, does not hold good when it is shown that Harrison has a clear majority over all three. The other city tickets in the field cut no figure at all.

There was a joyful demonstration of Democrats on the streets when the result became assured and thousands gathered in front of newspaper offices to cheer as the news was displayed. There were impromptu parades, fireworks and much cannonading of the atmosphere.

Carter Harrison said of the result: "It has been a victory of a united and not a divided Democracy. Gold as well as silver men cast their ballots for me and registered a protest against Republican misrule. The workingmen were with me."

The late returns indicate that the Democrats will have 39 aldermen out of 88 in the council. Twenty-eight of the Democratic candidates are probably elected out of 34 and with the 11 Democratic holdover aldermen will give that party a majority in the legislative body.

#### DEMOCRATIC OHIO.

CHICAGO, April 7.—A special to the Record from Cincinnati, says: The result of the municipal elections in Ohio yesterday shows Democratic gains. The large cities which gave McKinley such enormous pluralities last November have gone Democratic. McKinley had only 50,000 in the State and all of this plurality came from the cities which today went Democratic. Outside of these cities, the State was carried by Bryan last November on the silver issue and the friends of John R. McLean, who is the Democratic candidate for senator, have made much comment on this fact. They claim that McLean will carry the legislature and possibly the State ticket next November on the free silver issue.

In Cincinnati, the home of Senator Foraker, a Republican plurality last year of 20,000 is displaced by a Democratic plurality of over 7,000. In Cleveland, the home of Senator Hanna, the Democrats made large gains, and even the home of President McKinley at Canton, went Democratic. The home of Governor Bushnell at Springfield is strongly Republican, and that city elected a Democratic mayor by over 400.

While the result in Ohio is due largely to the opposition to Geo. B. Cox, who had become offensive as a boss, the result in the State generally is accredited to dissatisfactions.

There are many who are suffering in business and many more who are out of work, who expected relief first month under the new administration and some express the opinion that the free silver sentiment is growing among these people. The Democratic gains were general. There was no special legislation of the last Republican legislative on which any issues were made. The man who headed the Democratic ticket in Cincinnati, Gustav Tafel, was formerly a Republican, became a free silver Democrat three or four years ago. He secured the vote of both gold Democrats and gold Republicans, because he represented the anti-Cox sentiment in this city. It is stated by the Republicans that they have always lost the municipal election after the inauguration of a Republican president. At Hamilton the entire Democratic ticket is elected while Chas. S. Bosch for mayor secures a majority of 1,400.

At Zanesville the Democrats simply swept the city, electing their entire city ticket.

At Springfield, the Democrats carried the home of Governor Bushnell, electing John M. Godd mayor.

At Akron, the contest for mayor indicates the election of Young (Dem.)

At Fostoria for the first time in 20 years the Democrats elected a mayor.

WASHINGTON, April 7.—Great interest was manifested here tonight in the Chicago election, and crowds congregated about the newspaper offices to receive the news. Democrats were all very much elated. Mr. Bryan was one of the most elated. Mr. Bryan was one of the most interested in the returns, and spent an hour in the Southern Associated Press office reading the Chicago returns. Expressive of his views, his telegram to Mr. Harrison tonight puts them succinctly. It reads:

"Hon. Carter Harrison, Chicago: Accept congratulations upon your

magnificent victory. The elections in Chicago, Cincinnati, Detroit and other cities indicate a decided change in public sentiment since November. W. J. BRYAN.

## THRILLING DESCRIPTION

Of the Drowning of Three Men Six Miles From Greenville.

GREENVILLE, April 6.—The Saluda River is within its banks again, after being on a boom Monday night and this morning, during which three men were drowned and one mule and two horses perished. Three more men miraculously escaped death after being considerably bruised, and thousands of dollars' worth of bridges were swept away. The dead are John Freeman, white, of Pickens County; Jackson Byrd, colored, of Pickens County; Babe Gillespie, colored, of Greenville County. The wounded are: Claude Hcod, William Green and Mr. McDade, all white, of Pelzer. This river has a decided reputation for turbulence and violence, and many drownings and hair-breadth escapes are related of its former sprees. It was fifteen feet above normal at midnight before the last and was out of its banks hundreds of yards on both sides, surging and sweeping by at a terrific speed and frowning and threatening with eddies everywhere. Rising as it does in the mountains, the Saluda, above all other streams hereabouts, is particularly violent after heavy rains. The great incline of its bed and the hilly character of its banks gives it remarkable speed and violence. It came within three inches yesterday of smashing all previous records.

The drowning scene was at the Cox Bridge, within six miles of this city. One of the victims was John Freeman, a well-to-do Pickens farmer and a man of family. He perished in the presence of about fifty persons gathered on the Pickens and Greenville banks. The bridge is a large covered wooden structure and its floor is thirteen feet above the normal height of the river. The two abutments are substantially constructed of granite, filled in to the banks with earth. The men who perished were driving from Greenville. The water was rushing over both earthen abutments, about two feet deep on the Pickens side. The water was about a foot and a half above the floor and six inches more would have sent the whole structure whirling down the river.

The party crossed the bridge in safety. Jeff Davis, colored, in the two-horse wagon with Mr. Freeman, and Bryan was in a cart in front. Bryan crossed the overflowed abutment with ease, but as the wagon reached the Pickens end of the bridge, the mule, the left-hand animal of the team, doubted the propriety of going over the abutment and backed. The lash was applied and then the horse, which was on the left, stepped into a hole about eight inches deep. The mule shied and carried the horse with him a few feet down the bank, which was the abutment on this side, which was a steep bank. The horse jumped out and fled to the bank. Mr. Freeman got into water about waist deep and went to his team and attempted to lead them back on the embankment. But the animals were excited and rearing up, struck Mr. Freeman in the face and sent him under the water and down the stream into water about ten feet deep. The team was swept after him. About fifty feet from the scene of the first trouble Mr. Freeman seized a tree and grabbed his horse's bridle again, and in the struggle went under the second time. The horse got away, and Mr. Freeman went under the last time. In a few minutes Jackson Byrd and Babe Gillespie were drowned in the same way as Freeman, their teams going off the bridge. Heroic efforts to save them were futile.

The men wounded were hurt by the falling of the Pelzer bridge. The new \$12,000 iron bridge over the Saluda River at Pelzer was swept from its piers on Monday night. The loss is \$3,000. The bridge was to have been accepted by the county supervisors on Saturday. The loss falls upon Contractor J. H. Whitner, of Tennessee. The three white men named above, who were trying to save the bridge, were swept overboard by the flood of water as the bridge went down and narrowly escaped being crushed in the wreckage. The fall of the bridge was due to the undermining of the masonry pier on the Anderson side, within a few hundred feet of the main building of the Pelzer Cotton Mills, and about fifty feet below their dam. This bridge has been the subject of much controversy as to whether Greenville should pay one-half the cost of its construction. It was claimed that Greenville was helping to divert trade from her own machines toward those in Pelzer. A new span and pier will have to be built.

Want at the Doors of Thousands.

GREENVILLE, Miss., April 8.—The condition of affairs in this section of the Mississippi river continues serious. Want is today at the door of many laborers. The Yazoo, Miss., delta embraces ten counties with a population of nearly 400,000 people, 70 per cent. of which are farm laborers. The secretary of war has kept himself in telegraphic communication with the governor of Mississippi seeking information concerning the needs of the flooded districts. Governor McRaurin in turn has kept in telegraphic communication with the representative men of the delta, and yet he has advised that assistance was not needed. Today's advices gave a more extended report of the prevailing condition, and the leading planters and business men of Washington county sent a dispatch to the governor appealing for government aid.

A Modern Bluebird.

LEWISBURG, W. Va., April 9.—The body of Mrs. Zina Schue, who died suddenly at Richlands, January 23, was disinterred and it was found that her neck was broken. The coroner's jury charged Schue with killing her and she was arrested here. It is said that she was Schue's fourth wife and that each of the other three died suddenly.

To Open His Skull.

CLEVELAND, O., April 9.—C. N. Cunningham, an alleged forger, will be taken from the county jail to the city hospital, where operations of his skull will be removed to permit an examination of the brain to decide the question of the man's sanity. There is a difference among the experts at present.

## CROPS OF THE STATE.

RAINFALL GENERAL AND HEAVY—ALL FARM WORK BEHIND.

In the Northern Tier of Counties Practically Nothing Has Been Done Towards Planting—Uplands Being Too Wet Even. A General Review.

COLUMBIA, April 7.—Director Bauer resumes today his weekly summary of reports of the weather and crops in the State. In view of the recent long-continued rains, the first report will be extremely interesting to business men in the towns and cities as well as the farmers of the State.

The general weather conditions during the present crop season were unfavorable for the preparation of lands for planting and in consequence the season is late, being variously estimated from ten to twenty days later than usual. It is due mainly to the excessive rains of February, followed by continued cloudy and rainy weather during March, with light winds, except for a few days during the third decade of March, when clear, cool and windy weather prevailed. This in turn was followed by rains which suspended plowing and planting up to date.

The temperature during the week covered by this bulletin averaged slightly cooler than usual, with minimum temperature below freezing as far eastward as Berkeley, where thin ice was noted on the morning of March 28. Frost was general on that date, killing in exposed places, but owing to the backwardness of the season, injury was limited, being confined to corn, where up, and to fruit, which was materially damaged in York, Spartanburg and the northwestern counties generally. Peaches suffered most.

During the week the temperature ranged between a minimum of 28 degrees at Greenville and a maximum of 79 degrees at Shaw's Fork.

The rainfall was general over the State and was heaviest over the western counties, where it averaged nearly one and a half inches, while for the entire State the average was 1.33 inches. The greatest amount for the week was 2.75 inches at Hillsville, and the least .38 at Barksdale. The normal for the same period is approximately .75 inch.

The week was deficient in sunshine. In places there was practically none, 9 per cent. of the possible being reported from Elmore, Orangeburg County; the largest percentage was reported from Forestville, Florence County, with 62 per cent. The average for the entire State was about 30 per cent. of the possible; the normal sunshine at this season of the year being about 65 per cent.

#### CROPS.

As previously stated, and for the reasons given, farm work is very much behind hand in South Carolina, except in Horry, Marion and Marlboro Counties, where the conditions have been more favorable and planting is more advanced. In the northern tier of Counties from Chesterfield westward, practically nothing has been done towards planting, for even the uplands were too wet to prepare except for